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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/586,069

07/14/2006

Susumu Fukushima

MAT-8865US

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02/19/2009

RATNERPRESTIA

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EXAMINER

GLENN, KIMBERLY E

ART UNIT

PAPER NUMBER

2817

MAIL DATE

DELIVERY MODE

02/19/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/586,069 | Applicant(s) FUKUSHIMA, SUSUMU | |
| | Examiner KIMBERLY E. GLENN | Art Unit 2817 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 and 13-20 is/are allowed.
- 6) ☒ Claim(s) 1,2,7,8,10 and 11 is/are rejected.
- 7) ☒ Claim(s) 3,5,6,9 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/14/06 11/09/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statements (IDS) submitted on 7/14/06 and 11/09/07 was filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

Figures 33 and 35 should be designated by a legend such as –Conventional Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

Claims 11 and 19 are objected to because of the following informalities: The parentheses should be removed since only reference numerals are disclosed in parentheses in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In line 4 of the claim, applicant recites the ground section. Examiner is unclear if applicant is referring to the first or second ground section.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 7, 8 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Ueda US Patent Application Publication 2003/0216150.

Ueda disclose in figure 6, a cellular phone comprising an antenna 36; a high-frequency circuit 39 connected via a matching circuit 38 to the antenna; a first printed substrate 37a which comprises a first ground section connected to the high-frequency circuit; a reactance circuit comprising inductors 42 and 43, wherein inductors 42 is connected to the first ground section; and a second printed substrate 37b which comprises a second ground section connected to the reactance circuit.

The cellular phone, further comprising a frequency band selecting circuit which examiner considers to be a transmitter-receiver; and a cable for connecting between the terminals (62-63 and 72-73) of the switches 40 and 41. The terminals (62, 63) are connected to the first ground section while the terminals (72, 73) are connected to the second ground section. Therefore, the cable provides connected between the first ground section and the second ground section and the frequency band selecting circuit.

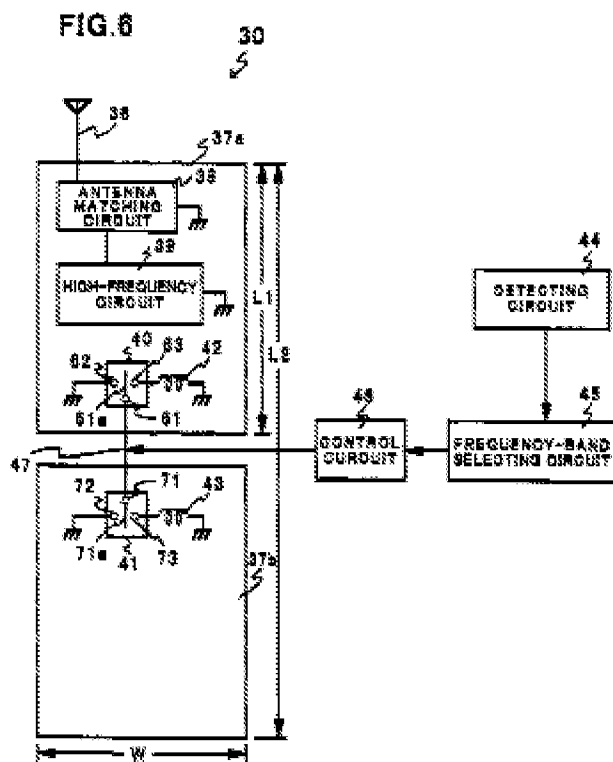
The reactance circuit includes inductors 42 and 43 and a switches 40 and 41 for switching the inductors.

Ueda states that on receipt of the detection signal from the detecting circuit 44, the frequency-band selecting circuit 45 selects a desired frequency band, and transmits a selection signal indicative of the thus selected frequency band, to the control circuit 46.

On receipt of the selection signal from the frequency-band selecting circuit 45, the control circuit 46 transmits a control signal to both of the first and second high-frequency switches 40 and 41 through the cable 47. In accordance with the control signal, the contact plates 61a and 71a make pivotal movement around the base

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contacts 61 and 71 to thereby make electrical contact with the first contact 62, 72 or the second contact 63, 73. The pivotal movement of the contact plates 61a and 71a around the base contacts 61 and 71 between the first and second contacts 62, 72 and 63, 73 causes a ground length in the cellular phone 30 to vary in accordance with a frequency band.



Allowable Subject Matter

Claims 3, 5, 6, 9 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 4 and 13-20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose or fairly teach the specific circuit configuration with emphasis on a coaxial line having a signal line and a shield line that is disposed so as to surround the signal line and is connected to the ground section, wherein, the shield line has a first shield line and a second shield line connected to the first shield line via the reactance circuit.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Lui et al US Patent 7,119,762, Diximus et al US Patent 6,326, 919, Matsuda US patent 6,314,273, Engblom et al US Patent 6,002,367 and Murch et al US Patent 5,764,190.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIMBERLY E. GLENN whose telephone number is (571)272-1761. The examiner can normally be reached on Monday-Friday 7:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571)-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-, 8300.,

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kimberly E Glenn
Examiner
Art Unit 2817

20090210
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